

WT 06-150
PS 06-229

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AUG - 7 2008

Federal Communications Commission
Office of the Secretary

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BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

"Public Safety Interoperable Communications and the 700 MHz D Block Proceeding"

July 30, 2008

Good morning Mr. Chairman and Commissioners. It is a privilege to be with you this morning to discuss an issue of vital importance to the nation's first responders and to every citizen that relies on these brave men and women each and every day. Throughout the debate surrounding the Commission's D Block proceeding, there are two points on which there has been broad agreement. First, the public safety community needs access to effective, reliable, and interoperable communications. This need is especially crucial during times of national emergency, but is also important on a daily basis wherever and whenever a police officer, firefighter, or other public safety official needs to respond. Second, the considerable investments of the wireless industry can, and in fact already do, provide substantial benefits to public safety. Leveraging these investments in the most effective manner possible can help to ensure public safety access to effective communications, while reducing the costs borne by state and local governments.

Unfortunately, this is the extent of current consensus. There remains considerable disagreement on the best means for providing public safety with the interoperable communications services they need, as well as the manner in which a public-private partnership could help to achieve that goal. I commend the Commission for undertaking this hearing to focus greater attention on these issues.

Rethinking the D Block Approach

The Commission's goal in this proceeding – to promote the development of a national, interoperable, broadband, public safety network – is laudable, and the formation of a public-private partnership may very well be a means for achieving that goal.

However, the policy framework the Commission established with the D Block rules to support such a partnership was put to the test in Auction 73 – and it failed. In an auction with more than 200 qualified bidders and more than 250 rounds of bidding, the D block attracted only one bid, in the first round, at less than half the reserve price. The Commission should reject requests to retain the D Block approach. Minor adjustments to the D Block rules will likely have a minimal effect on the cost of building the network and, thus, would result in a second failed auction. More substantial modifications – what some have referred to as “D Block Lite” – might result in a winning bidder but would fall well short of providing a network designed to public safety's specifications.

The Commission's pending Further Notice of Proposed Rulemaking recognized the need to reopen the process to new thinking and new ideas. The Further Notice made clear that everything is on the table, and we commend the Commission for its willingness to seek a new direction. Verizon Wireless has participated in this policy debate and taken the consistent position for the past two years that the best and fastest way to address public safety's communications needs is to marry public safety's spectrum with existing commercial network infrastructures through an RFP process. We have thoroughly considered the very thoughtful and constructive comments made at last April's congressional hearing and more recently in the D Block proceeding. As the Commission moves forward, we think four key principles have emerged:

First, the D block should be reallocated to Public Safety.

Second, the D block (and the adjoining public safety spectrum) should be licensed to public safety agencies on a regional basis.

Third, regional public safety licensees should be urged to achieve interoperability with other regional licensees through technical standards and IP-based solutions to create a nationwide "network of networks."

Fourth, the regional public safety licensees should be able to select their commercial partner or partners using an RFP process or similar approach that best meets their individual needs.

These principles represent a fresh approach -- one that has gained momentum in the most recent round of comments. Various state and local governments and public safety agencies, especially the New York City Police Department, the city of Philadelphia and the city and county of San Francisco, emphasized the importance of local control and decision-making in addressing public safety's needs, and noted the difficulty in achieving those objectives through the D Block approach. These entities, which also include the Commonwealth of Virginia, the City of Charlotte, North Carolina, the City of Houston, Texas, the District of Columbia, and the International Association of Fire Fighters, urged the Commission to consider a local or regional approach to meeting public safety's communications requirements. We concur with those recommendations.

NYPD's Regional Proposal Offers A Better Alternative

We found the recommendations of the New York City Police Department (NYPD) especially compelling. Like others in the public safety community, the NYPD agrees that a regional or local approach would have distinct advantages in addressing the diverse needs of first responders, which differ considerably from one region to the next. It correctly notes that such an approach would not undermine efforts to achieve national interoperability, as interoperability can be achieved by linking regional networks together

to create a national "network of networks." However, the NYPD goes beyond a regional approach to propose that the D Block be reallocated to public safety, making the entire 20 MHz of spectrum available to public safety on a regional or local basis. NYPD notes that yielding control of the entire 20 MHz of spectrum to public safety would allow it to more effectively manage all of its communications needs and would facilitate more efficient use of spectrum that is planned for both narrowband and broadband uses.

We support the NYPD's proposal. A regional licensing approach would provide greater flexibility and would likely be more effective in addressing public safety's local communications needs. Because these needs are likely to be significantly greater in dense metropolitan areas, the spectrum required for public safety use in those areas would also be greater. A reallocation of the D Block to public safety, as NYPD proposes, would ensure that public safety has sufficient spectrum resources to meet its various needs, and would provide it with increased flexibility with which to enter into a potential partnership with a commercial entity or entities. Of course, we recognize that the Commission does not currently have authority to reallocate the D Block spectrum. However, we do not believe that the need for legislative action should be viewed as an insurmountable barrier to accomplishing what is needed to ensure effective public safety communications – if Congress determines that a reallocation is in the best interest of the country.

Verizon Wireless remains committed to helping find and being a part of a solution to public safety's need for interoperable communications. Thank you again for the opportunity to appear before the Commission to address these important issues.